

### **REMARKS**

In the Official Action, the Examiner allowed claims 7-9 and 11, rejected claim 4 under 35 U.S.C. §102(b) on anticipation grounds over EP 1,055,421, and objected to claim 10, but indicated that such claim would be allowable if rewritten in independent form. Claim 10 depends from claim 4 and recites that at least one of  $R^{21}$ ,  $R^{22}$  and  $R^{23}$  is selected from the group represented by defined formulas (4), (5) or (6).

By the present Amendment, claim 4 has been amended to recite that at least one of  $R^{21}$ ,  $R^{22}$  and  $R^{23}$  is selected from the group represented by formula (4a), formula (4b), formula (5) or formula (6), each of which is structurally defined. Formulas (4a) and (4b) are supported by the specification at least on page 10. In addition, claims 7, 9 and 10 have been amended so that the punctuation format is consistent with that of the other claims.

Applicants respectfully maintain that claims 4 and 10, in addition to the previously allowed claims, are patentable over the prior art. Similar to the acknowledged allowability of claim 10 over the prior art, amended claim 4 defines at least one of  $R^{21}$ ,  $R^{22}$  and  $R^{23}$  in a manner that is not disclosed or suggested by the cited EP '421 publication. More particularly, in contrast to the recited lubricant composition of claim 4 comprising at least one compound represented by formula (3) with the recited  $R^{21}$ ,  $R^{22}$  and  $R^{23}$  groups, the EP '421 publication relates to a cosmetic or dermatological composition which can contain a triazine compound. However, the triazine compounds disclosed in the EP '421 publication, particularly in paragraphs [0018] to [0021], do not meet the compound of formula (3) with the definitions of  $R^{21}$ ,  $R^{22}$  and  $R^{23}$  now recited in claim 4. Furthermore, since the EP '421 publication relates to a different field of endeavor, it would not be obvious to modify

the disclosed triazine compounds (even if there existed a proper reason to do so) in an attempt to meet the defined lubricant composition of amended claim 4.

Accordingly, applicants respectfully submit that all the claims now of record are patentable in all regards and therefore request reconsideration and allowance of the present application.

Should the Examiner have any questions concerning the subject application, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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